


qualified immunity as to these two Defendants. See (Doc. No. 76). Plaintiff contends that because the Court has stayed discovery as to these two Defendants, none of the Defendants, including Defendant Conner, should be allowed to take Plaintiff's deposition. This Court does not agree. As there is no stay of discovery as to Defendant Conner, the Court will allow Plaintiff's deposition to be taken at this time.

IT IS THEREFORE ORDERED that:

- (1) Defendants' Motion for Discovery to Take Prison Depositions, (Doc. No. 91), is **GRANTED**. Defendants shall be allowed to take Plaintiff's deposition at Mountain View Correctional Institution in Spruce Pine, North Carolina. The deposition shall take place at Mountain View Correctional Institution on July 17, 2015, at 1:00 p.m., or at another time as designated by prison officials.
- (2) Defendants' Motion for Discovery to Take Prison Depositions, (Doc. No. 83), is **DENIED** as moot because Plaintiff has been transferred away from Piedmont Correctional Institution, and because the Court has granted Defendants' subsequent motion to take Plaintiff's deposition where he is currently incarcerated.


Frank D. Whitney
Chief United States District Judge

